

IC 31-13

**ARTICLE 13. FAMILY LAW: PARENT-CHILD
RELATIONSHIP**

IC 31-13-1

Chapter 1. Children of Void or Voidable Marriages

IC 31-13-1-1

Sec. 1. If a marriage is void because the parties to the marriage are more closely related than second cousins, the children of the marriage shall be treated as if the children are children of a marriage that is not void.

As added by P.L.1-1997, SEC.5.

IC 31-13-1-2

Sec. 2. If:

(1) a marriage is void because either of the parties to the marriage has a living husband or wife; and

(2) either of the parties to the marriage did not reasonably believe that either of the parties had a living husband or wife;

the children of the marriage shall be treated as if the children are children of a marriage that is not void if the children were conceived before the discovery that a party to the marriage had a living husband or wife.

As added by P.L.1-1997, SEC.5.

IC 31-13-1-3

Sec. 3. A child of a marriage that is annulled under IC 31-11-10 (or IC 31-7-7 before its repeal) is considered to be a child of a valid marriage if the child is conceived before the marriage is annulled.

As added by P.L.1-1997, SEC.5.

IC 31-13-2

Chapter 2. Children Born Out of Wedlock

IC 31-13-2-1

Sec. 1. (a) A person interested in establishing whether a child was born in wedlock may file a petition to maintain an action to determine whether the child was born in wedlock. The petition must:

- (1) be filed in the circuit or superior court of a county in which either of the parties to the marriage resides;
- (2) set forth the facts concerning the child's birth; and
- (3) name as defendants in the action all persons interested in the question of whether the child was born in wedlock.

The petitioner shall give the persons described in subdivision (3) notice in accordance with IC 31-16-2-5.

(b) The court shall hold a hearing on the petition filed under subsection (a) and shall make a determination on the question of whether the child was born in wedlock.

(c) An appeal of the court's determination under subsection (b) may be taken to the supreme court. An appeal taken under this subsection is governed by the same rules that apply to other civil actions that are appealed.

As added by P.L.1-1997, SEC.5.

IC 31-13-2-2

Sec. 2. (a) Except as provided in subsection (b), a final determination made under section 1 of this chapter (or IC 31-7-8-3 before its repeal) is conclusive among the parties to the action and among persons who make claims under parties to the action.

(b) A defendant who was less than eighteen (18) years of age at the time the determination under section 1 of this chapter (or IC 31-7-8-3 before its repeal) became final may petition the circuit or superior court in which the original action was taken to review the determination. This petition must be filed before the individual becomes nineteen (19) years of age.

As added by P.L.1-1997, SEC.5.

IC 31-13-2-3

Sec. 3. A child of a common law marriage that was consummated before January 2, 1958, is considered to be a child of a valid marriage.

As added by P.L.1-1997, SEC.5.

IC 31-13-3

Chapter 3. Termination of Parent-Child Relationship

IC 31-13-3-1

Sec. 1. The termination of a parent-child relationship is governed by IC 31-35.

As added by P.L.1-1997, SEC.5.